

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :

Plaintiff, : STIPULATION AND ORDER

- v. - :

11 Civ. 9186 (PAE)

LEBANESE CANADIAN BANK SAL, et al., :

Defendants; :

ALL ASSETS OF LEBANESE CANADIAN :
BANK SAL, et al., :

Defendants-in-rem. :

- - - - - x

WHEREAS, on or about December 15, 2011, a verified complaint, 11 Civ. 9186 (PAE), was filed in the United States District Court for the Southern District of New York seeking the seeking civil money laundering penalties pursuant to Title 18, United States Code, Section 1956 against certain defendants, and also seeking the forfeiture of certain properties (the "Subject Property") pursuant to Title 18, United States Code, Section 981(a)(1)(A) and 981(a)(1)(C);

WHEREAS, on or about October 26, 2012, the Government filed a Verified First Amended Complaint (the "Amended Complaint");

WHEREAS, the Amended Complaint sets forth that the Subject Property includes \$150,000,000 seized pursuant to seizure warrants issued on August 15, 2012 (the "Seizure

Warrants"), and currently held in the United States Seized Asset Depository Fund (the "Seized Funds");

WHEREAS, as set forth in the affidavit in support of the application for the Seizure Warrants, the Seized Funds relates to \$150,000,000 in proceeds of the sale of the assets of Lebanese Canadian Bank SAL ("LCB") to Société Générale de Banque au Liban ("SGBL") that is being held in escrow at a financial institution in Lebanon (the "Escrow Funds," held at the "Escrow Bank");

WHEREAS, the Seized Funds were seized from a U.S. correspondent account of the Escrow Bank based, in part, on Title 18, United States Code, Section 981(k), which provides that: "For the purpose of a forfeiture under this section . . . if funds are deposited into an account at a foreign financial institution . . . and that foreign financial institution . . . has an interbank account in the United States with a covered financial institution . . . the funds shall be deemed to have been deposited into the interbank account in the United States[.]"

WHEREAS, SGBL represents it is presently pursuing arbitration proceedings in Lebanon in which it asserts an ownership interest in a portion of the Escrow Funds;

WHEREAS, although the arbitration proceedings in Lebanon relating to the Escrow Funds have not yet been

completed, SGBL has notified the Government of its intent to file a claim in this action asserting an interest in the Seized Funds pursuant to Title 18, United States Code, Section 981(k)(3);

WHEREAS, the Government does not oppose SBGL filing a claim and the parties request that a deadline be set for SGBL to file a claim in this action;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the United States of America, by its attorney Preet Bharara, United States Attorney for the Southern District of New York, Jason H. Cowley, Assistant United States Attorney, of counsel, and SGBL, by its attorney, Michael Sullivan, Esq., that:

1. SGBL shall have until March 4, 2013, to file a claim in this matter with the Clerk of the Court pursuant to Rule G of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

2. Should SGBL file a claim, SGBL shall have until March 25, 2013 to answer or otherwise respond to the Amended Complaint.

3. This Order is without prejudice to any rights, remedies, claims, or defenses of any of the parties hereto.

4. The signature pages of this Stipulation and Order may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument. Signature pages may be by fax and such signatures shall be deemed as valid originals.

AGREED AND CONSENTED TO:

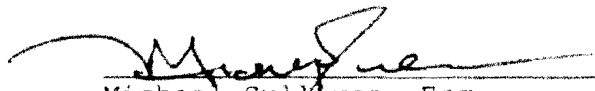
PREET BHARARA
United States Attorney
Southern District of New York

By: 

Jason H. Cowley
Assistant United States Attorney
One St. Andrew's Plaza
New York, New York 10007
(212) 637-2479

2/25/13
DATE

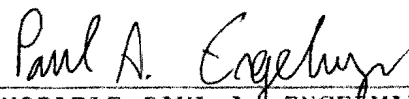
Société Générale de Banque au Liban



Michael Sullivan, Esq.
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(617) 573-9400
Counsel for SGBL

2-25-2013
DATE

SO ORDERED:


HONORABLE PAUL A. ENGELMAYER
UNITED STATES DISTRICT JUDGE

2/28/13
DATE